

OPINION
56-104

January 18, 1956 (OPINION)

SCHOOL DISTRICTS

RE: Tuition Payments

We have received your letter of January 12, 1956, wherein you state that patrons in a certain school district sent their children to a school in another district last fall. At mid-term they discovered that if the county superintendent approved and the boards of the sending and receiving districts agreed, the tuition costs could be paid by the sending district instead of the parents of the children paying.

You now ask if we believe the sending district can pay tuition for the entire year, if the county superintendent approves and an agreement is entered into by the boards.

We do not believe the board of the sending district would have any right to expend public funds for the payment of tuition fees for any part of the school term during which no agreement existed between it and the receiving district, and it is our opinion that they should not make such payments except for that part of the school term that is covered by contract between the district.

LESLIE R. BURGUM

Attorney General